IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH;

AT HYDERABAD

PRESENT

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO.2496 OF 2006:

Between

Surgident (India), A sole Proprietorship

Rep. By its Area Sales Manager, Mr.K.B.Venkata Ramana

…..Petitioner

and

The Managing Director, AP Health & Medical Housing Infrastructure

Development Corporation, DM&HS Campus, Sultanbazar, Hyderabad

and ors.

Respondents.

THE HONOURABLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION NO. 2496 OF 2006

ORDER:

This Writ Petition is filed seeking Writ of Mandamus, to declare the action of the respondents in not declaring the petitioner as successful bidder pursuant to the

tender notice No.7/APHMHIDC/DRUGSWING/2005-2006, dated 5-10-2006 as illegal and arbitrary, and, for further direction not to finalize the contract.

Andhra Pradesh Health & Medical Housing Infrastructure Development Corporation has issued tender notice dated 5-10-2006 for procurement of office furniture, medical & surgical equipments etc.,. The petitioner and another namely, M/s. Vishal Surgical Equipment Company have responded to the said tender notice.

It is the case of the petitioner, that it has quoted lower price than the other bidder; in that view of the matter, the respondents ought to have declared him as successful bidder for award of contract.

Sri Y.Sudhakar, learned Standing Counsel for the respondent-Corporation has submitted that the bid of the petitioner was not recommended on technical grounds and the evaluation committee has recommended the bid of M/s. Vishal Surgical Equipment Company. It is further submitted that in view of the recommendation of the evaluation committee, the respondent-Corporation has entered into agreement with the successful bider on 2-3-2006 vide agreement No.33/APHIDC/DRUGSWING/EQP/2005-2006.

In that view of the matter, at this stage, the petitioner cannot seek writ of mandamus to declare it as successful bidder. If the petitioner is aggrieved by the award of contract in favour of third party, it is open for him to question the same.

The Writ petition is devoid of merits and the same is accordingly dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY

DATED: 17-03-2006

Msnr.